

THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 2nd FLOOR COMMISSIONER'S MEETING ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, JUNE 6, 2006 AT 3:30 P.M.

PRESENT: Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

OTHERS: Attorney Greg Fifer, Rob Sartell and Brian Dixon, EMC, Kelly Welsh, Tina Haley, and City Clerk Marcey Wisman.

CALL TO ORDER:

Mayor Garner called the meeting to order at 3:34 p.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Seabrook moved to approve the May 23rd minutes with corrections, Mr. Kochert second, all voted in favor.

COMMUNICATIONS - PUBLIC:

Robert Holman, 2605 Linda Drive, spoke about the additional charges that he is paying on his water bill and wanted to know how much the storm water fee will generate for the city.

Mayor Garner informed him that it will bring in \$1.1M to \$1.2M in the next year.

Mr. Holman informed the board that in 1968 his basement flooded with storm water and in April the manhole in his neighborhood is still blowing off.

There was a lengthy discourse regarding the back-up problems on Linda Drive and how the storm water fee will provide funds to start correcting existing drainage problems.

Rebecca Gardenour, 503 Captain Frank, addressed the board regarding her request for an adjustment for filling her pool after installing a new liner. She went through several months of minutes showing other people who in the past received adjustments.

There was a lengthy discussion regarding the new pool ordinance and how it was presented to the public.

Mrs. Gardenour pointed out that she felt information regarding the legal action with Linden Meadows being complete was incorrect.

Camille Koebel, 3027 Cobblers Crossing, addressed the board regarding adjusting the summer watering program because people do not fill their pools in June.

Jackie McClure, joined Ms. Koebel and explained that she also would like for them to change the summer watering program to May 1 rather than June 1.

There was a lengthy discussion regarding the water program and the problems the sewer utility has with adjustments in the past.

Charles Hipsher, 1234 Slate Run Road, stated that he has lived in his house for the past year and for seven months his bills were between \$25 to \$35 dollars and then he got a letter from the water company telling him that he has not been billed for sewage and trash for the past year. His bill is now over \$500 and he has been injured and out of work and has no way of paying this back bill. He is current on his monthly water bill but owes

back money. He will keep current on his bill while paying back money.

There was a lengthy discussion regarding the problems with Indiana-American Water billing and what the sewer utility can do to correct the situation. It was decided that a letter would be sent to Indiana American Water Company asking them not to cut off his water and work out a plan with Mr. Hipsher to get caught up within a certain amount of time.

Mr. Solomon made a motion to extend service to Mr. Hipsher for 120 days to have a payment plan contingent upon him remaining current and for Mrs. Welsh to notify IN-AWC not to discontinue his service, Mr. Utz second, all voted in favor.

COMMUNICATIONS - CITY OFFICIALS

Mr. Seabrook stated that he received a call from Kevin Zurschmeide regarding a tort claim that he submitted and he has not heard back from anyone.

Mr. Sartell stated that he has talked with Mr. Zurschmeide and told him that he needs proof that the insurance will not cover it and he has not heard back from him.

Mr. Seabrook reported that last night the storm water board was approved by the council, he informed them that all salaries were struck from the ordinance leaving it negotiable. He also reported that the \$3.17 was approved for the base unit price for the storm water fee.

Mr. Solomon asked for the status of the basin 4.

Mr. Sartel stated that they have installed flow monitors further up the line and they are waiting for a rainfall to get the data. He stated that they believe they have located a considerable amount of I/I further down the line and they believe that the problem is an old clay pipe that is leaking.

Mr. Solomon asked about the raw pump seal failure in the wet well at Basin 4.

Mr. Sartell informed them that they will be draining the wet well and Mr. Dixon has volunteered to go down into the well to inspect.

Mr. Solomon asked about the televising equipment that they need to purchase.

Mr. Dixon explained the specs, price and the warranty on the camera.

Mr. Solomon asked for Mr. Dixon to put together a maintenance plan for them to see.

Mr. Dixon stated that he had a plan that started the first of April but because they did not have the necessary equipment he is going to adjust the plan and he will give them a copy.

Mr. Solomon made a motion to purchase the aforementioned televising equipment for \$62,000, Mr. Kochert second, all voted in favor.

Mr. Solomon stated that they met and discussed the electrical situation and he is of the opinion that it is not equitable for the city to have EMC pay the bill. He proposed that the city pay the bill directly but keep Mr. Sartell managing it.

There was a lengthy discussion regarding any contract changes that would need to be made to do this.

Mr. Solomon also stated that the city over paid the electric by \$160,000 this past year and EMC paid out of pocket approximately \$40,000 in gas and they had only budgeted \$20,000. So, the difference is roughly \$120,000 and he is asking them to make us whole on that, and because we are cash strapped we would like it up front. If they are unable to do that we need to ask for a certain amount to be paid each month for the next year.

Mr. Fifer stated that we would need to get that in a written agreement.

Mr. Sartell stated that he would bring something to the next meeting.

Mr. Solomon asked if the Brooklawn project paid for their capacity analysis.

Mr. Fifer felt that it would be best if the invoices for these independent studies go through the city and the developers reimburse the city for the cost.

Dale Tekippe agreed because it would help avoid having contracts with both a developer and the City. He also stated that they would charge a \$2,000 flat rate for these studies and that the city should ask for an up front payment from developers.

Mr. Solomon asked if we are receiving tap fees from the houses in Wright Woods.

Mr. Fifer reported that he does not know what we are getting today. He received a call that he wants to put a private line in for three more houses and feels that we should received connection fees for those whether it is a private line or not. He stated that the City was suppose to receive an easement from them and he has told the developers that there needs to be an easement reported today before that goes any further. He stated that he will check to make sure we are getting the tap in fees.

Mr. Solomon asked about the Georgetown settlement.

There was a lengthy discussion regarding whether or not Georgetown was going to sign the contract and that the Robert E. Lee projects hinge on whether this goes through.

Mr. Solomon asked if the board would be discussing the Umbaugh Report.

Mr. Fifer informed him that at the council meeting he had brought up having a special meeting with the council so that they can go over the report and discuss the Robert E. Lee interceptor project, but he is still waiting to hear back from Mr. Gahan.

Mr. Kochert and Mr. Seabrook voiced their concerns that they are not being kept informed of everything that is going on with the sewer, and it makes it difficult for them when they have to report to the City Council.

There was a lengthy discussion regarding the needed sewer increase and the council's perception that the board is "project happy", and the lack of communication between the sewer board members.

Mr. Solomon stated that he believes that the \$2.5 M from the jail bond monies should go into the sewers. He also stated that he has a list of items that he could discuss for 4 to 6 hours each month and it is his belief that there needs to be a technical staff that these issues can go before. He feels that there should be a full time sewer engineer and a full time storm water engineer just to deal with drainage issues. He also felt that if there was a full time engineer there would not be the communication problems that they are currently having.

Mayor Garner stated that he would like a motion to hire a clerk for the sewer billing office whose main job would be to go after delinquent bills.

Mr. Solomon made a motion to hire a clerk at the introductory rate to track liens, Mr. Utz second, all voted in favor.

SEWER ADJUSTMENTS:

Mrs. Welsh presented the following:

- 1. Michael Kruer**, 4201 Kamer Miller Road, requested adjustment in the amount of \$770.91 for a leak next to his water meter.

There was a lengthy discussion regarding his past billing history.

Mr. Utz moved to approve, Mr. Solomon second, all voted in favor.

Mayor Garner asked about Ms. Rita Schueler's problem of her condo being charged as a commercial property at \$18.00 per months and it should only be charged \$2.00 a month.

There was a lengthy discussion regarding the different problems arising with condos because they are listed as commercial properties in the Assessors officer.

Mr. McCormick stated that they will be taking care of this problem.

Mrs. Welsh reported that Laura from the Country Club had called and asked about the adjustment for the late fees of \$617.38.

There was a lengthy discussion regarding what has been credited in the past and the current billing history.

Mr. Solomon made a motion to credit the \$617.38 in late fees contingent upon them bringing the account current , Mr. Kochert second, all voted in favor.

OLD BUSINESS:

Mr. Fifer discussed the Amendment No. 1 to Agreement for Wastewater Treatment, Transportation and disposal services with Georgetown. A copy of which is on file with the City Clerk's office. He informed the board that they asked that if they are actively still trying to get the plant completed when the deadline is up that they not be assessed the \$450,000. He also stated that after the three years they become a retail customer and not a wholesale customer.

Mr. Solomon asked if they would be paying tap fees.

Mayor Garner stated that unless it is in the contract they will not have to pay tap fees.

There was a lengthy discussion as to what would happen if Georgetown is not on their own plant within the three years.

Mr. Solomon asked that Mr. Fifer put a cut off date of four years in the contract and to add language that they will pay tap-in fees after three years.

Mr. Fifer said that he could do that if it was the wish of the board.

Mr. Solomon made a motion that they would have to pay the \$450,000 after four years and pay tap-in fees after three years, Mr. Kochert second, all voted in favor.

Item #1 - Donahue Engineering Capacity Analysis Study

Steve Gress reported that the project is 30% done. He went over the work that has been done to map the basins. He explained that there was no mapping that could be used in basin 37, 38, 39 and 40 and this will be a major stumbling block in trying to complete the swim model. He recommended that the city hire a surveyor to map the invert area. He also reported that they will be drawing up a proposal to do the additional work that will need to be done to map the red areas of the map. He asked if the board would want them to do a mini master plan for basins 37 through 40.

There was a lengthy discussion regarding what projects need to be done and what the time line would be for this work. It was also discussed using local engineers such as primavera to get the mapping information done in a more timely manner.

Mr. Solomon stated that he has asked Mr. Tekippe to put together a chart of up coming

developments that he will present at the next meeting.

Item #2 - Brian Dixon re: review bids for Robert E. Lee Interceptor

Mr. Dixon recommended that they go ahead to award the bid to Team Contracting.

Mr. Seabrook stated that Mr. Fifer approached the council and said that wouldn't be decided until after there was a meeting between the council and the sewer board.

This issue will be decided at the next meeting.

NEW BUSINESS:

Item #5 - Brian Dixon, EMC, re: appraisal for property on Hwy 111

Mr. Dixon presented an agreement for the utility to pay Cinergy \$200 for a small parcel of land that is necessary for the additional easement for the Robert E. Lee Interceptor.

Mr. Solomon moved to approve the agreement, Mr. Seabrook second, all voted in favor.

Item #6 - Sherri Baker, Barnhizer and Associates re: Presentation on Sewage clean-up services and prices

Mrs. Baker, from Barnhizer & Associates, Inc, presented prices and comparisons for clean up of sewer back ups. She stated that they would guarantee their pricing for the city and for the citizens of New Albany.

Mr. Fifer explained that the he had talked with Mrs. Baker and had told her that it would be best if she came before the board to give her presentation.

There was a lengthy discussion regarding what they could offer the city and its citizens and whether or not they could recommend one business over another.

This was taken under advisement.

EMC REPORT:

Item #1 - Rob Sartell re: Tort Claims

Mr. Sartell presented a Tort Claim for Mr. and Mrs. David and Joy Creps in the amount of \$2,410.26. He informed the board that the back-up was due to a problem with the city's line and recommended that it be paid.

Mr. Seabrook moved to approve, Mr. Solomon second, all voted in favor.

Mr. Sartell presented a claim from K & E Environmental in the amount of \$2,856.48

Mr. Solomon moved to approve, Mr. Kochert second, all voted in favor.

BIDS:

CLAIMS:

Mr. Dixon presented the following claims:

City of New Albany WWTP RAW Wastewater Pump Station Screening

MAC Construction	Original Contract	\$724,900
	Pay request #4	(\$163,004.60)
	Pay request #3	(\$83,857.50)

	Pay request #2	(\$121,158.90)
	Pay Request #1	(\$83,857.50)
	Remaining Balance	\$273,021.50
Melhisier Endres Tucker CPA		
Invoice No. 151665		\$4,185.00
Clark Dietz Engineers		
Invoice No. 39204		\$11,800.00
Donohue & Associates		
Invoice No. 10959-03		\$12,867.30
Governmental Appraisal Services		
Appraisal of land necessary for REL Interceptor Project		\$400.00

Mr. Solomon moved to approve the claims contingent upon Mr. Dixon checking to be sure that request #3 had not already been paid, Mr. Kochert second, all voted in favor.

Mr. Seabrook asked Mr. McCormick if he could come up with qualifications for storm water board members for the council to use as a guideline.

Mr. McCormick agreed.

ADJOURNMENT:

There being no further business before the Sewer Board, the meeting adjourned at 6:45 p.m.

Respectfully submitted,

James E. Garner, Chairman

Marcey Wisman, City Clerk